

ATTORNEY DOCKET NO.:  
INVIT1280-1

**DECLARATION FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **DELIVERY OF FUNCTIONAL PROTEIN SEQUENCES BY TRANSLOCATING POLYPEPTIDES**, the specification of which

  X   is attached hereto.

  X   was filed on September 28, 2001, (Attorney Docket No.: **INVIT1280-1**)

as U.S. Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ if applicable (the "Application").

**I hereby authorize and request insertion of the application serial number of the Application when officially known.**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.



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With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/127,467</u>	<u>March 31, 1999</u>
(Application Serial No.)	(Filing Date)
<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)
<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

<u>PCT/US00/08571</u>	<u>March 31, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

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made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Brian Dalby**

Inventor's signature: Brian Dalby

Date: 11/19/01

Residence: Carlsbad, California CA.

Citizenship: U.S.A.

Post Office Address: 2803 Unicornio Street  
Carlsbad, CA 92009

Full name of second inventor: **Robert P. Bennett**

Inventor's signature: Robert P. Bennett

Date: 11/19/2001

Residence: Encinitas, California CA.

Citizenship: U.S.A.

Post Office Address: 1269 Rainbow Ridge Lane  
Encinitas, California 92024

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102894-39



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Dalby et al. Art Unit: Unassigned  
Application No.: Unassigned Examiner: Unassigned  
Filed: September 28, 2001  
Title: Delivery of Functional Protein Sequences by Translocating Polypeptides

Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE**

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys of the assignee to prosecute the  
Application and to transact all business in the United States Patent and Trademark Office  
connected therewith:

JAMES CLEARY	Reg. No. 45,843
CHARLES GAVRILOVICH, JR.	Reg. No. 41,031
LISA A. HAILE	Reg. No. 38,347
ERIC HOOVER	Reg. No. 37,355
RICHARD J. IMBRA	Reg. No. 37,643
SHEILA R. KIRSCHENBAUM	Reg. No. 44,835
JUNE M. LEARN	Reg. No. 31,238
ALAN LIMBACH	Reg. No. 39,749
GEORGE LIMBACH	Reg. No. 19,305
KARL LIMBACH	Reg. No. 18,689
TIMOTHY W. LOHSE	Reg. No. 35,255
TERRANCE A. MEADOR	Reg. No. 30,298
GERALD SEKIMURA	Reg. No. 30,103
STEVEN R. SPRINKLE	Reg. No. 40,825
DAVID R. STEVENS	Reg. No. 38,626
MARK TAKAHASHI	Reg. No. 38,631
EMANUEL J. VACCHIANO	Reg. No. 43,964
EDWARD WELLER	Reg. No. 37,468
RONALD YIN	Reg. No. 27,607
BARRY N. YOUNG	Reg. No. 27,744



In re Application of:  
Dalby, et al.  
Application No.: Unassigned  
Filed: September 28, 2001  
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PATENT  
Attorney Docket No.: INVIT1280-1

Customer No 28213

I hereby authorize and request insertion of the application number of the  
Application when officially known.

Direct all telephone calls to:

**LISA A. HAILE, J.D., PH.D.**  
Telephone: (858) 677-1456

Address all correspondence to:

**LISA A. HAILE, J.D., PH.D.**  
GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121

Invitrogen Corporation

By:



Name:

Alan W. Hammond

Title:

Chief Intellectual Property Counsel

Date:

12/4/2001